UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THOMAS L. WILLIAMS,

Plaintiff

v.

2

3

4

5

6

7

8

9

11

12

17

20

21

22

23

STATE OF NEVADA, et. al.,

Defendants

Case No.: 3:19-cv-00752-RCJ-WGC

Report & Recommendation of United States Magistrate Judge

This Report and Recommendation is made to the Honorable Robert C. Jones, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR 1B 1-4.

On December 18, 2019, Plaintiff filed an application to proceed in forma pauperis (IFP) 13 (ECF No. 1), and a document titled "Order to Show Cause for an Preliminary Injunction." (ECF 14 No. 1-1.) The filings indicated that he was an inmate in the Washoe County Detention Facility 15 (WCDF). He did not submit the required financial certificate for an inmate seeking to proceed 16 IFP, and he did not pay the filing fee.

The court issued an order on March 18, 2020, giving Plaintiff 30 days to file a completed 18 financial certificate or pay the filing fee, and advise the court whether he wishes to proceed with this action as the court had taken a preliminary look at his initiating documents and advised Plaintiff it was likely his action would be dismissed. (ECF No. 3.)

The order was returned as undeliverable, and to date, the court has had no further communication from Plaintiff.

20

22

Under Local Rule IA 3-1, a pro se party must immediately file with the court written notification of any change of mailing address. Failure to comply with this rule may result in dismissal, entry of default judgment, or other appropriate sanction.

In light of Plaintiff's failure to keep the court apprised of his address, this action should be dismissed. The court had already undertaken a preliminary review of his initiating documents and determined he did not state a colorable claim upon which relief could be granted (ECF No. 3 at 4-5); therefore, the dismissal should be with prejudice.

RECOMMENDATION

IT IS HEREBY RECOMMENDED that the District Judge enter an order **DISMISSING** this action **WITH PREJUDICE**.

The Plaintiff should be aware of the following:

- 1. That he may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to
 this Report and Recommendation within fourteen days of being served with a copy of the Report
 and Recommendation. These objections should be titled "Objections to Magistrate Judge's
 Report and Recommendation" and should be accompanied by points and authorities for
 consideration by the district judge.
 - 2. That this Report and Recommendation is not an appealable order and that any notice of appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed until entry of judgment by the district court.

21 Dated: May 18, 2020

William G. Cobb United States Magistrate Judge

Willen G. Cobb

23||